

December 11, 2019

The regular meeting of the Everett City Council was called to order at 6:30 p.m., December 11, 2019, in the City Council Chambers of the William E. Moore Historic City Hall, Council President Bader presiding. Upon roll call, it was found that Mayor Franklin and Council Members Roberts, Murphy, Vogeli, Bader, Stonecipher, and Tuohy were present.

Council Member Moore entered the council chambers at 6:31 p.m.

Council Member Stonecipher led the Pledge of Allegiance.

The minutes of the December 4, 2019, City Council meeting were approved as printed.

MAYOR

OATH – POLICE OFFICERS

Moved by Council Member Roberts, seconded by Council Member Vogeli, to concur with the appointments of Hollis Hodges, Bryan Keller, and Michael Keith as new police officers.

Roll was called with all council members voting yes.

Motion carried.

The City Clerk administered the oaths of office, and Mayor Franklin presented the new police officers with their badges.

APPOINTMENTS / REAPPOINTMENTS

Moved by Council Member Vogeli, seconded by Council Member Stonecipher, to concur with the following appointment:

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Everett Historical Commission

Reappointment of Arnold Morrison to Position 1 for a six-year term ending December 31, 2025

Roll was called with all council members voting yes.

Motion carried.

Moved by Council Member Tuohy, seconded by Council Member Roberts, to concur with the following appointment:

Lodging Tax Advisory Committee

Appointment of Sheldon Johnson to Position 1 for the remainder of a four-year term ending December 31, 2020

Roll was called with all council members voting yes.

Motion carried.

COUNCIL

Council Member Murphy provided a liaison report from last night's Lodging Tax Advisory Committee meeting.

Council Member Vogeli provided a liaison report from the last Historical Commission meeting.

Council Member Roberts announced the General Government Subcommittee is scheduled to meet next Wednesday, at 5:30 p.m.

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Council Member Tuohy reported on her attendance at the grand re-opening of the Everett Public Library Branch on December 6.

Council Member Stonecipher reported on the Public Safety Subcommittee meeting, which was held earlier this evening.

President Bader announced the need for some additional action on the supportive housing matter.

Council Member Moore stated that he is an employee of the Everett Public Schools, and although he has no interest directly in this matter, he must recuse himself from any discussion.

Council Member Moore exited the council chambers at 6:45 p.m.

President Bader stated the supportive housing moratorium expires tomorrow, and as indicated last week, he appointed an ad hoc committee of three council members to meet with Legal staff to further clarify this topic. Council President Bader reported that he and Council Members Murphy and Vogeli met with Legal and additional time is needed to complete this work.

Moved by Council Member Murphy, seconded by Council Member Roberts, to extend the moratorium on supportive housing projects in single-family zones for an additional 90 days.

Roll was called with all council members voting yes.

Motion carried.

President Bader stated work is required to develop a supportive housing ordinance that is consistent with Option 3 as discussed at the meeting, which keeps the current code allowing supportive housing in single-family zones but modify development standards to be consistent with single-family housing. The work group identified a fundamental question that needs to be answered by Council before work can progress with Legal and Planning – Does consistent with

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single-family housing mean compliant with single-family zoning standards, or does it mean compatible with single-family character?

Considerable discussion ensued regarding the interpretation of language outlined in the three options presented at last week's meeting.

President Bader stated the work group will meet again with Legal and respond back with a clearer understanding.

Council Member Moore entered the council chambers at 7:10 p.m.

ADMINISTRATION UPDATE ON PRIOR BUSINESS

Chief of Staff Lyle Ryan introduced Ryan Sass, Public Works, who provided an update on the Rucker Renewal Project.

CITY ATTORNEY

City Attorney David Hall had no comments.

PUBLIC COMMENT

Jean Rittmann, Everett, spoke about zoning violations relating to landscaping and buffer requirements.

Mayor Franklin reminded the Council and the public that Ms. Rittman has brought these issues forward a number of times and has filed six separate legal actions against the City, all of which have been dismissed by the courts. Mayor Franklin stated that Ms. Rittman may contact her office directly regarding any issues she may have with City staff.

Laura Reed, Bayside Neighborhood, expressed support for Option 3 relating to the supporting housing ordinance.

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CONSENT ITEMS:

Moved by Council Member Murphy, seconded by Council Member Roberts, to approve the following consent items:

RESOLUTION - CLAIMS

To adopt Resolution No. 7457 authorizing claims against the City of Everett in the amount of \$1,507,684.72 for the period of November 23, 2019, through November 27, 2019.

RESOLUTION – PAYROLL CLAIMS

To adopt Resolution No. 7458 authorizing payroll claims against the City of Everett in the amount of \$4,112,531.49 for the period ending November 23, 2019.

AGREEMENT – COOPERATIVE PURCHASING

To authorize the Mayor to sign the Interlocal Cooperative Purchasing Agreement with the Commonwealth of Virginia.

AGREEMENT – RADIO FREQUENCY USE

To authorize the Mayor to sign the Radio Frequency Use Agreement between Commander Navy Region Northwest and City of Everett Fire Department at no cost to the city.

AGREEMENT AMENDED – ON-CALL ENGINEERING AND DESIGN SERVICES

To authorize the Mayor to sign Amendment No. 3 with GeoEngineers, Inc. to extend the contract term date through December 31, 2020, for on-call engineering and design services.

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AGREEMENT AMENDED – STRUCTURAL ENGINEERING SUPPORT SERVICES
AT RESERVOIR NO. 3

To authorize the Mayor to sign Amendment No. 1 to the Professional Services Agreement with CG Engineering to provide structural engineering support services at Reservoir No. 3, extending the agreement to December 31, 2020.

GRANT AWARD – SOCIAL SERVICES

To accept Office of Public Defense Funds Grant Award and authorize the Mayor to sign Agreement #GRT20010 and Funding Agreement for Social Services with Everett Law Association in the amount of \$96,000.

REQUEST FOR PROPOSAL – CONFLICT PUBLIC DEFENSE SERVICES ROSTER

To authorize the Release of Request for Proposal #2019-119, “Conflict Public Defense Services Roster.”

Roll was called with all council members voting yes.

Motion carried.

PUBLIC HEARING:

COUNCIL BILL 1911-60

THIRD AND FINAL READING:

AN ORDINANCE establishing an Everett Station District Business Improvement Area (BIA); providing for the levy of a special assessment upon real property (and the owners thereof) within the area; the deposit of revenues in a special account and expenditures therefrom; and providing for an implementing agreement with an Everett Station District property owners association or similar organization

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President Bader opened the public hearing for Council Bill 1911-60 and invited public comment.

The following individuals expressed support for the proposed ordinance:

Fred Safstrom, Housing Hope
Tom Sebastian, Compass Health
Claire Bunney, Mazama
Joe Sievers, Everett Downtown Storage
Nick Bratton, Forterra
Dylan Levalley, Adams & Duncan Lawyers
Ed Petersen, Everett Station District Alliance
Brock Howell, Everett Station District Alliance
Jennifer Cross, The Dog Spot
Greg Tisdell, Everett
Craig Skotdal, Skotdal Properties
Allison Warren-Barbour, United Way

The following individuals urged the Council to reject the proposed ordinance:

Rob Lund, Lund's Cabinet Shop
Steve Ahmann, Pacific Power Batteries
Mark Nysether, Sea-Dog Corp
Brad Nysether, Sea-Dog Corp
Gary Petersen, Lake Stevens
Alan Mizuta, Everett
Leonides Stratis, Ron May Towing

Moved by Council Member Roberts, seconded by Council Member Moore, to close the public hearing.

Roll was called with all council members voting yes.

Motion carried.

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Flora Diaz, Legal, reviewed two amendment options to the ordinance (A and B) describing boundaries, as well as an amendment to Section 16. Ratepayers Advisory Board.

Brock Howell, Everett Station District Alliance, provided comments on the three amendments to the proposed ordinance. He stated the District Alliance supports Option A, as well as the amendment to Section 16.

Moved by Council Member Moore, seconded by Council Member Vogeli, that this is declared to be the third and final reading of Council Bill No. 1911-60, as amended, to include Option B and revisions to Section 16 as presented to Council.

Discussion took place regarding the five-year sunset clause outlined in the proposed ordinance.

Moved by Council Member Murphy, seconded by Council Member Vogeli, to amend the proposed ordinance to reduce the five-year sunset clause to three years.

Roll was called with all council members voting no, except council Members Murphy and Bader who voted yes.

Motion failed.

The City Clerk was directed to call the roll for the final disposition of the ordinance as amended.

AYES: Roberts, Moore, Murphy, Vogeli, Bader, Stonecipher, Tuohy
NAYS: None
EXCUSED: None

Ordinance No. 3714-19 adopted.

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ACTION ITEMS:

COUNCIL BILL 1911-61

THIRD AND FINAL READING:

AN ORDINANCE adopting the City of Everett Salary Ordinance for 2020

Moved by Council Member Tuohy, seconded by Council Member Roberts, that this is declared to be the third and final reading of Council Bill No. 1911-61, and the City Clerk is directed to call the roll for the final disposition of the ordinance.

AYES: Roberts, Moore, Murphy, Vogeli, Bader, Stonecipher, Tuohy
NAYS: None
EXCUSED: None

Ordinance No. 3715-19 adopted.

AGREEMENT AMENDED – VERA CLINIC AND CLAREMONT VILLAGE LEASE

Moved by Council Member Vogeli, seconded by Council Member Moore, to authorize the Mayor to sign the Amendment to the Vera Clinic Agreement and Claremont Village Lease Amendment in substantially the form provided.

Roll was called with all council members voting yes.

Motion carried.

COUNCIL BILL 1911-62

THIRD AND FINAL READING:

AN ORDINANCE approving the appropriations of the 2019 revised City of Everett Budget and amending Ordinance No. 3699-19

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Moved by Council Member Murphy, seconded by Council Member Moore, that this is declared to be the third and final reading of Council Bill No. 1911-62, and the City Clerk is directed to call the roll for the final disposition of the ordinance.

AYES: Roberts, Moore, Murphy, Vogeli, Bader, Stonecipher, Tuohy
NAYS: None
EXCUSED: None

Ordinance No. 3716-19 adopted.

AMENDED AGREEMENT – COCOON HOUSE COLBY AVENUE

Moved by Council Member Vogeli, seconded by Council Moore, to authorize the Mayor to sign the Amended and Restated Priority Agreement for Cocoon House Colby Avenue.

Roll was called with all council members voting yes.

Motion carried.

AGREEMENT – PURCHASE & SALE FOR CITY-OWNED PROPERTY

Moved by Council Member Moore, seconded by Council Member Murphy, to authorize the Mayor to execute Real Estate Purchase and Sale Agreement with Haack Brothers Inc. for the sale of City owned property located in the 400 block of Rockefeller Avenue commonly known as the Legion Lots and all other documents necessary to complete the sale.

Discussion took place regarding outreach to the neighbors and the possible inclusion of special stipulations or other clauses to the Real Estate Purchase and Sale Agreement.

George Koval, Everett, urged the Council to not sell the property, and if so, make sure no more than three homes are built on the property.

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Council Member Murphy requested additional information about the proposed plans for development of the property.

Joel Haack of Haack Brothers Homes commented on the trends of the market and the conceptual plan for modern style homes.

Moved by Council Member Stonecipher, seconded by Council Member Tuohy, to table action on this item until such time as council members are able to view the renderings and provide one week to allow neighborhood input.

Kim Ratliff, Windemere real estate broker representing Hack Brothers Homes, stated any proposed property covenants or neighborhood input should have been addressed early in the process.

Roll was called on the motion to table with all council members voting no, except Council Members Tuohy and Stonecipher who voted yes.

Motion failed.

Roll was called on the main motion with all council members voting yes, except Council Members Tuohy and Stonecipher who voted no.

Motion carried.

Mayor Franklin announced that Mike Palacios is leaving city employment after 35 years, and she thanked him for his service.

Council Member Roberts left the council chambers.

COUNCIL BILL 1911-63

THIRD AND FINAL READING:

AN ORDINANCE creating a special improvement project, entitled "Forterra Restoration Plan," Fund 354, Program 062, to accumulate all costs for the project

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Moved by Council Member Murphy, seconded by Council Member Tuohy, that this is declared to be the third and final reading of Council Bill No. 1911-63, and the City Clerk is directed to call the roll for the final disposition of the ordinance.

AYES: Moore, Murphy, Vogeli, Bader, Stonecipher, Tuohy

NAYS: None

EXCUSED: Roberts

Ordinance No. 3717-19 adopted.

AGREEMENT AMENDED – WFP EMERGENCY GENERATOR

Moved by Council Member Tuohy, seconded by Council Member Stonecipher, to authorize the Mayor to sign Amendment No. 1 to the Professional Services Agreement with Sazan Group, Inc. for Water Filter Plant Emergency Generator design, bidding, and construction support services to include additional analysis and design services, extend the contract completion date, and increase the compensation by \$297,236 for a total amount not to exceed \$1,150,816.

Roll was called with all council members voting yes, except Council Member Roberts who was not present.

Motion carried.

Council Member Roberts returned to the council chambers at 9:41 p.m.

Council Member Vogeli also left the council chambers and returned at 9:45 p.m.

COUNCIL BRIEFING AGENDA:

Annual Update on Everett Public Library

Presented by Abigail Cooley, Library Director; and
President Laurie Ummell, Library Board of Trustees

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Council Member Tuohy thanked the Board and Library staff for their excellent work.

Update on Everett Districting Commission

Presented by Simone Tarver, Chair

Ms. Simone announced that Virginia-based Anthony Fairfax, CensusChannel LLC, was recently selected as the new districting master.

Mayor Franklin recognized other District Commission members in the audience.

COUNCIL BILL 1912-68

FIRST READING:

AN ORDINANCE updating the Everett Civil Service Commission, amending Ordinance No. 1069-84, as previously amended

Presented by Michael Duerr, Human Resources

COUNCIL BILL 1912-69

FIRST READING:

AN ORDINANCE relating to Emergency Medical Services amending Ordinance No. 3205-10

Presented by Chief of Staff Lyle Ryan

PROPOSED ACTION ITEMS:

COUNCIL BILL 1912-64

SECOND READING:

AN ORDINANCE creating a Special Improvement Project, entitled, "Casino Road & 5th Avenue W. Pedestrian Safety," Fund 303, Program 117, amending Ordinance No. 3702-19

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COUNCIL BILL 1912-65

SECOND READING:


AN ORDINANCE creating a Special Improvement Project, entitled "Edgewater Bridge Replacement," Fund 303, Program 115, to accumulate all costs for the improvement and repealing Ordinance No. 3636-18

COUNCIL BILL 1912-67

SECOND READING:


AN ORDINANCE creating a Special Improvement Project, entitled "Water Main Replacement V," Fund 336, Program 004

The Council meeting was adjourned at 10:05 p.m.



City Clerk

Read and approved as printed.



Council President